

Remarks

The present Response is to the Office Action mailed 03/31/2009, made final. Claims 40-69 are standing for examination.

Claim Rejections - 35 USC § 103

3. Claims 40-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman (US Patent No. 6,535,492) in view of Matsui et al (Matsui) (US Patent No. 6,401,122) and further in view of Fraser ("MT-NW Manual).

4. Regarding claim 40 and 54, Shtivelman discloses the invention as claimed a method and communication management system, comprising: a computer appliance (see abstract, figure 1 and the details related; system is using computer appliances); software stored on and executable from a computer-readable medium accessible by the computer appliance (see abstract; col. 2, lines 27-43; data repository storing parameters and a management software executes on a server associated with the communication center system), the software providing: a choice of a plurality of communication management zones, each zone having associated therewith a unique set of users, each user identified by a unique name in the zone, and one or more management policies associated with each zone, each user associated with a management policy (see col. 1, lines 45-56, col. 1, lines 28-35, col. 2, lines 44-57; rules and regulations regarding sessions); wherein communication is supported in multiple modes and protocols within each zone and the system activates a zone based at least on names of active users, and enforces the associated management policy for each user as long as the zone is active (see col. 2, lines 3-15 also figure 1 and the details related; limits regarding a number of participants allowed in each active chat session must be manually set by agents or an administrator on behalf of agents).

5. Shtivelman substantially discloses the invention as claimed for the given reason above but does not explicitly disclose wherein said a plurality of zones each with unique set of

users and each user identified by a unique name in the zone and wherein communication is supported in multiple modes and protocols within each zone and the system activates a zone based at least one name of active users, and enforces the associated management policy for each user as long as the zone is active.

6. In the same field of invention Matsui discloses wherein said a plurality of zones each with unique set of users and each user identified by a unique name in the zone (see figure 1, 14-15 and the details related, col. 8, lines 41-59, col. 1, lines 18-67; communication areas 1, 2, and 3 each with identified users or clients and area identifiers (names) each for mutually discriminating a plurality of communication areas).

7. Likewise Fraser discloses wherein said a plurality of zones each with unique set of users and each user identified by a unique name in the zone (posting to Usenet: see "Posting New Articles" on p. 25; comprising the body of information included in message sent from a "Personality", which is an identity specific to a user for use in a specific zone, the zone comprising a newspaper: see pg. 35 and "Group Setting" on pg. 41; also see pg. 20 "Reading the News") and wherein communication is supported in multiple modes and protocols within each zone and the system activates a zone based at least one name of active users (see comprising the function which creates "Personalities": pg. 35-36 and selecting personality based on a filter defined by author name: see discussion of "Filters" on pgs. 41-42 and the third par. of pg. 61), and enforces the associated management policy for each user as long as the zone is active (comprising enforcing a rule that messages must be sent with the proper text encoding for a personality: see third par. on pg. 38).

8. It would have been obvious to one of the ordinary skill in the art of networking at the time of this invention to combine the teaching of Shtivelman into Matsui and Fraser for a communication management system. Motivation for doing so would have been this system is advantageous for a communication management apparatus for managing a

joining of symbols in a virtual world in a message communication system in which a plurality of user terminals are interconnected, the plurality of user terminals sharing the virtual world comprising a plurality of virtual spaces, and the symbols each defined for the associated one of the user terminals which will join the virtual world, and messages are exchanged among a plurality of user terminals corresponding to a plurality of symbols which have entered the same virtual space (see Matsui: col. 1, lines 7-14).

9. Regarding claim 41, the combination of Shtivelman-Matsui disclose wherein Matsui further discloses the system of claim 40 wherein a unique name refers to a single user, and may vary from zone to zone as an alias (see figure 1, col. 8, lines 41- 59).

10. Regarding claim 42, Shtivelman discloses the system of claim 40 wherein the communication involves transmission over the Internet network (see figure 1 (13); Internet).

11. Regarding claim 43, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 40 wherein the unique names include one or more identities of persons accessible on a communication network (see col. 16, lines 9-25).

12. Regarding claim 44, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 43 wherein individual ones of the unique names may be aliases referring to a single contact (see figure 1, col. 8, lines 41-59).

13. Regarding claim 45, Shtivelman discloses the system of claim 40 wherein individual ones of the zones are defined by various social environments and/or activity engaged in by a user (see col. 1, lines 57-67, col. 2, lines 1-2).

14. Regarding claim 46, Shtivelman discloses the system of claim 42 wherein the multiple modes and protocols, include but are not limited to voice and text (see col. 1, lines 17-27).

15. Regarding claim 47, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 46 wherein unique names of users vary by communication mode as well as by zone (see figure 1, col. 8, lines 41-59).

16. Regarding claim 48, Shtivelman discloses the system of claim 46 wherein the multiple modes include email, instant messaging, RSS, and voice mode (see col. 1, lines 17-27).

17. Regarding claim 49, the combination of Shtivelman and Matsui disclose the system of claim 40 wherein pairing of users is used in determining and enforcing communication policy (see Shtivelman: col. 1, lines 28-35, col. 2, lines 44-57; Matsui: col. 8, lines 41-59).

18. Regarding claim 50, Shtivelman discloses the system of claim 40 further comprising generating alerts from attempted policy violation (see col. 7, lines 37-45).

19. Regarding claim 51, Shtivelman discloses the system of claim 40 wherein a user name may be in a form of a URL, an email address, a telephone number, a machine address, an IP address, or an Enum address (see col. 1, lines 17-27, col. 5, lines 32-42).

20. Regarding claim 52, the combination of Shtivelman and Matsui disclose the system of claim 40 wherein policy includes protocol for automatic handling of incoming communication events, the handling determined by one or both of user initiating communication and mode of communication (see Shtivelman: figure 3, col. 1, lines 28-35, col. 2, lines 44-57; Matsui: col. 8, lines 41-59).

21. Regarding claim 53, the combination of Shtivelman and Matsui disclose wherein Matsui further discloses the system of claim 40 further comprising an editing facility for a user to create and populate zones, names and policy (see col. 8, lines 41-59,).

22. Regarding claim 55, Shtivelman discloses the method of claim 54 further comprising a step for content analysis of a message and/or an attachment for identification and verification of a user (see col. 7, lines 8-20).

23. Regarding claim 56-57, the limitations of this claim has already been addressed (see claim 41-42 above).

24. Regarding claim 58, the combination of Shtivelman and Matsui disclose the method of claim 54 wherein the names include one or more users using an instance of the software on a different computer appliance (see Shtivelman: figure 1, col. 27-44 and Matsui: col. 8, lines 41-59).

25. Regarding claim 59-68, the limitations of this claim has already been addressed (see claim 44-53 above).

26. Regarding claim 69, combination of Shtivelman and Matsui disclose wherein Matsui further discloses the method of claim 68 wherein some of the names may be temporary ad hoe identifies (see figure 1, col. 8, lines 41-59).

Applicant's response:

Applicant herein amends independent claims 40, cancels claims 54-69, and enters new claims 70-83 to more particularly point out and distinctly claim the subject matter believed to be patentable. The applicant is quite confident the invention as described in the originally-filed disclosure is patentable over the art cited and applied, and over any art

in the public domain at the time of filing the application.

Claim 40, as amended, now recites:

40. (Currently amended) A communication management system, comprising:
- a computer appliance;
 - a data repository coupled to the computer appliance storing a directory of contact identities, a user-configurable plurality of zones to which contact identities may be associated, and user-configurable communication-management policies that vary by zone and by contact identity; and
 - software stored on and executable from a computer-readable medium accessible by the computer appliance, the software providing at least a policy-enforcement utility and a message-content analyzer;
- wherein, in communication operations, contact identities and message content is analyzed to determine zone association, and management policies are enforced by the software accordingly.

Claims 41-42, and 44-53, all depending directly or indirectly from claim 40, have been amended to agree with new language of claim 40. Claim 43 is cancelled. Independent method claim 54 is cancelled, along with depended method claims 55-69, as applicant has deemed it more straightforward to recite new method claims 70-83 to agree closely in limitations with amended system claim 40. New independent method claim 70 recites:

70. (New) A method for communication management, comprising the steps of:
- (a) determining, by software executing from a machine readable medium coupled to a computer appliance, contact identities associated with a message received or to be sent, and analyzing message content;
 - (b) consulting a stored directory of contact identities, management policies, zone

definitions, and associations between them to determine a management policy to be enforced for the current message;

(c) determining a zone for the message; and

(d) enforcing, by the software, for the message, the management policy determined in step (b).

The applicant believes the amendments and new claims entered render the rejections on the merits moot, as those rejections were applied specifically to the limitations of the claims as unamended. The applicant, however deals below with the references in general, and points out succinctly how the limitations in the amended and newly entered claims render those claims patentable over the art so far cited and applied.

Referring to amended claim 40, the applicant points out that the invention recited is a system operating on a computer appliance, and the invention is directed to enforcing, automatically through software executing on the appliance, policy for managing messages either received or prepared to be sent. The messages can be of any known sort or protocol, and can be in any known media. Across protocol and media it is known that messages are sent by one entity to another, and identity of sender and intended recipients are known. In the present invention, as recited in claim 40, these are the contact identities. Further, messages generically have message content.

The issue is how a message is to be managed, which can include where, for example, a received message may be routed internally, or stored, and whether a message to be sent may actually be sent without violating a management policy. In the present invention zones are established, and contact identities are associated with zones. There may be a Work zone, for example, which a user may associate with his employment, and he or she may associate certain contacts, such as fellow employees, with that zone. The same user may have an entertainment zone, and associate certain contacts with that zone.

Further to the above, the system monitors contact identities for messages received and prepared to be sent, and also parses message content, to determine whether the contacts and message content are consistent with a particular zone. The system also then enforces automatically, through software, management policy associated with a determined zone and contact identities.

The system and method now claimed is far from the art cited, particularly the art of Shtivelman, which is a chat room. In Shtivelman a chat host may mute participants, or even ban certain participants from participation. There is no automatic enforcement of any policy, however, as in the presently recited invention. Further, there is no association of contacts with zones, and no association of policy with zones, nor is there any teaching in any of the art to parsing message body to determine zones and therefore management policy, which is then enforced accordingly. So amended claim 40 is clearly patentable over the art thus far cited and applied, and depended claims 41-53 are patentable at least as depended from a patentable claim

New method claim 70 follows the limitations of method claim 40, and is patentable by the reasoning above relative to claim 40. Depended claims 71-83 are then patentable at least as depended from a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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